

Lookout Mountain Alliance

July 11, 2016

City Planning Commission

C/o City Hall

Public Works Board Room 350

200 N. Spring Street

Los Angeles, CA 90012

Re: CPC -2015-3484 –CA – CEQA: ENV 2015-4197-ND

Dear Commissioners:

Thank you for your service to our City and your input regarding these Amendments to the Baseline Hillside Ordinance(BHO) and the Baseline Mansionization Ordinance(BMO) as they apply to single family dwellings City-wide. The Lookout Mountain Alliance supported the First draft of the proposed amendments as sensible additions to the BHO enacted in 2011. Furthermore, we supported and continue to support the recommendations of the Hillside Federation in their letters to the Department of City Planning on 5/11/16 and 9/10/2016. We continue to support Councilmember Paul Koretz and David Ryu in their letter regarding the Second draft of these Amendments dated May 4,2016 to Director of City Planning Vince Bertoni.

Unfortunately, the Staff report still does not address the issues that plague our older hillside communities and the concerns of stakeholders with respect to what we refer to as 'slot lots' – lots that are comprised of square footage under 5000 sq. ft. which is the City standard for 'conforming lots'. The inclusion of a guarantee of 1000 sq. feet in the BHO and now still in the Staff report, has produced development that is not only incompatible with the "neighborhood character" in our hillside areas but has resulted in an increase density; reduction of open space; impacts to wildlife connectivity and perhaps most importantly, negatively impact infrastructure, as we have seen in our community over the past year. What would be considered 'Small lot sub-division' type structures are popping up all over our hillsides where an actual Small Lot Subdivision would not be allowed by CODE in any R-1 neighborhood? You will see a photo today of what was allowed to be built "BY RIGHT" on Wonderland Avenue in Laurel Canyon which illustrates our point. While we understand that property owners have a right to develop their property, the City has standards and code provisions that are in place that can limit what is built but has mechanisms in place to allow for deviations or exceptions to the Code. We would like to have the 1000 sq. ft. guarantee **removed from the BHO amendments but if necessary, something less than 1000 sq. feet.** It seems reasonable to eliminate a Guarantee on such small lots that could be tied together to produce (1) 5000 sq. ft. lots where a property owner/owner/builder/applicant could still build their dream home (1) 5,00 square ft. parcel that could have less of a negative impact and still provide for a reasonably sized home under the BHO. Provision could be made for an Applicant to seek an Adjustment or a Variance if necessary. In 2011 when the BHO was enacted, no one thought a 1000 sq. ft. home in the hillsides was economically feasible for a developer but that has changed over the past 5 years. It is feasible to buy these types of slot lots at a reduced rate and build (3) homes at the same time and sell them for a profit. However, the result has been negative impacts to public safety; increased density; loss of wildlife corridors and connectivity; loss of neighborhood character and street and infrastructure failures costing millions of taxpayer dollars for repairs and environmental impacts that will negatively affect the neighborhoods forever.

Date: 11/29/16

Submitted in PLUM Committee

Council File No: 14-0656

Item No. 6

Deputy: communication from public

Lookout Mountain Alliance

Re: Grading: In your 'FACT SHEET', the following is mentioned: "create a grading exemption for piles and caissons". Can Staff please clarify and explain this new addition; where it came from and what does it mean?

Re: Grading Table: Please clarify the nexus by which the Staff Report's table has allowed for an increase of BY RIGHT grading? The point and intent of the original BHO was that the land would dictate what would be built. How does 2000 cubic yards of BY RIGHT grading address that issue and help to close the grading loophole? 2000 cubic yards represents over 200 trucks traversing the hillsides, many on substandard roadways that have weight restrictions of 6000 pounds and that's just for starters. How does adjusting the formula for maximum grading allowed from 500 cubic yards plus the numeric value equal to 5% of the lot size in cubic yards to "1000 cubic yards plus the numeric value equal to 10% of the lot size in cubic yards help to alleviate the negative impacts of grading hillsides - some of which are 100% slope? Once again, how does this benefit the hillsides and environment as it appears the math doesn't work in favor of the land which was the spirit and intent and PROMISE of the BHO when it was signed in 2011? What about the 1000 cubic yard limit for a Haul Route hearing? How will that work if BY RIGHT grading is changed to 2000 cubic yards?

In context, grading means more than just cubic yards of earth moved or exported... it means loss of wildlife connectivity; loss of open space; loss of community character in neighborhoods and huge negative impacts to public safety. Just last week, the folks in Glassell Park had a concrete truck that fell over in a hillside- the second in a few months. We all know what happened on Loma Vista but at least the City of Beverly Hills has done something about this, albeit court mandated. We know about the recent street collapses on Sunset Plaza Drive and Appian Way which has cost the City millions and counting to fix and repair. Where there is grading - there are 10 wheel or bigger trucks; where there is grading - there are hillsides and environments being changed; where there is grading on these substandard hillside streets- public safety is at stake; where there is grading, whether it be export/import or 'compaction' the impacts are there without mitigations.

While we appreciate the Departments outreach and willingness to work with the various communities and Council offices over the past several months and understand that there will never be a 100% consensus, this Staff Report with respect to the BHO has not fulfilled the mandate as directed by Councilman Koretz; not addressed the issues mentioned in the letter from Councilmembers Ryu and Koretz as to some of the loopholes in the BHO which was the task assigned. We do support the positive changes in the Staff report regarding bringing the FAR of 0.45 to all lots, regardless of size but it appears that with respect to BHO issues, we have a ways to go.

We urge the City Planning Commissioners to review carefully and listen to the hillside representatives from all over the City who have labored over years and the political winds of change to make the promise of the BHO and the BMO come to fruition. We have faith that this can be done and must be done.

Respectfully submitted,

Carol Sidlow, Steven Poster/The Lookout Mountain Alliance – Laurel Canyon
Dietrich Nelson/ The Nichols Canyon Neighborhood Association

Date: 11/29/16
 Submitted in PLUM Committee
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DEPARTMENT OF BUILDING AND SAFETY/ DEPARTMENT OF PUBLIC WORKS *communication from*
 PRELIMINARY REFERRAL FORM FOR HILLSIDE ORDINANCE #168,159 & #174,652 *Public*

Building and Safety PIN: 150B177-615

Address _____ Applicant: _____
 District Map: _____ Tract: _____ Project Description: _____
 Block: _____ Lot: _____ Phone: _____
 Fax: _____

Public Works - B-Permits Commr

Vehicular Access: (for exceptions per 12.21A17(f))

1. Is the Continuous Paved Roadway (CPR)* at least 28ft wide from the driveway, apron of the subject lot to the boundary of the Hillside Area? Yes No
 If "YES", STOP, project is exempt from the Hillside Ordinance.
 If "NO", answer ALL of the following questions:

2. Is the CPR at least 20ft wide, from the driveway apron of the subject lot to the boundary of the Hillside Area? Yes No

3. Is the street adjacent to the subject lot at least 20ft wide?
 (Note: all streets adjacent to a lot must be considered when the lot has multiple street frontages, such as a corner lot or a through lot.) Yes No

* CPR = begins at the driveway apron and must be continuous and without permanent obstacles to the boundary of the Hillside Area.
 If "2" and "3" are Yes: COMPLY WITH HILLSIDE ORD. ZA APPROVAL IS NOT REQD
 If "2" or "3" are No: REFER TO PLANNING FOR APPROVAL PER 12.24X21

Street Type: (for front yards and street improvements, per 12.21A17(a) and (e))

1st Street Name: _____ R/W width: _____ Roadway width: _____

Lot fronts on a standard hillside limited street Dedication required width: _____ Plan Index: _____
 Lot fronts on a sub standard hillside limited street Improvement required

Comments: _____

2nd Street Name: _____ R/W width: _____ Roadway width: _____

Lot fronts on a standard hillside limited street Dedication required width: _____ Plan Index: _____
 Lot fronts on a sub standard hillside limited street Improvement required

Comments: _____

Sewer Connection:

Lot located less than 200 ft from sewer mainline:

Use existing wye and permit Obtain new connection and new permit
 Use existing wye, obtain new permit Obtain B-Permit from PW/BOE to construct new mainline

Lot located greater than 200 ft from sewer mainline:

Obtain LADBS approval for on-site sewer Obtain B-Permit from PW/BOE to construct new mainline

Public Works Employee completing this form:

Sign: _____ Print Name: _____
 Date: _____ Phone: _____ Location: _____

* The final determination of Hillside Ordinance applicability shall be made after any and all dedication/improvements (if required) have been made.

Department of Building and Safety / City Planning

JOINT REFERRAL FORM

Slope Analysis and Maximum Residential Floor area Verification Form

Baseline Hillside Ordinance (BHO), Ordinance No. 181624

Instructions:

1. This form is used by the Department of Building and Safety and City Planning to determine a permitted maximum Residential Floor Area for a project (new construction or addition to an existing construction) in R1, RS, RA and RE zones located within the Hillside Area as defined in Section 12.03 of the Code.
2. Proposed construction subject to BHO requirements will be accepted for Plan Check by the Department of Building and Safety, only if they have a completed Slope Analysis Verification Form, signed by City Planning Staff.
3. Complete Section I, II, and III on page 2 and submit this form along with two stamped and signed copies of Slope Analysis map prepared by a State of California registered civil engineer or licensed surveyor that includes the following information to the Department of City Planning at one of the locations listed in Section 4:
 - a. A Slope Analysis Map based on a survey of the natural/existing topography, prepared, stamped, and signed by a State of California registered civil engineer or licensed land surveyor. The map shall have a scale of not less than 1 inch to 100 feet and a contour interval of not more than 10 feet with two-foot intermediates. The map shall also indicate the datum, source, and scale of topographic data used in the Slope analysis, and shall attest to the fact that the Slope analysis has been accurately calculated.
 - b. A Slope Analysis Map that clearly delineate/identify the Slope Bands (i.e. with contrasting colors or hatching), and shall include a tabulation of the total area in square-feet within each Slope Band, as well as the FAR and Residential Floor Area value of each corresponding Slope Band as shown on Table 12.21 C.10-2b.
 - c. The Slope Analysis Map shall be prepared using CAD-based, GIS-based, or other type of software specifically designed for such purpose.
4. City Planning Staff are located at the following locations:

Downtown Office

City Planning Counter (Station No. 7)
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Van Nuys Office

City Planning Counter
6262 Van Nuys Blvd., Suite 251
Van Nuys, CA 91401
(818) 374-5050

Department of Building and Safety / City Planning

JOINT REFERRAL FORM

SECTION I. Name Applicant(s)/Property Owner(s) _____

Address: _____ Phone Number: _____

SECTION II. Project Address: _____ Assessor Parcel Number: _____

Lot: _____ Tract: _____

Proposed Project Description: (describe in detail, including all proposed work and dimensions)

SECTION III. Circle the Zone of the project site in Table 1 and complete Worksheet 1.

*Residential Floor Area shall be calculated as defined in LAMC Section 12.03

Slope Bands (%)	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
0 – 14.99	0.5	0.45	0.40	0.40	0.35	0.35	0.35	0.25
15 – 29.99	0.45	0.40	0.35	0.35	0.30	0.30	0.30	0.20
30 – 44.99	0.40	0.35	0.30	0.30	0.25	0.25	0.25	0.15
45 – 59.99	0.35	0.30	0.25	0.25	0.20	0.20	0.20	0.10
60 – 99.99	0.30	0.25	0.20	0.20	0.15	0.15	0.15	0.05
100 +	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

(A)	(B)		(C)		(D)
Slope Bands (%)	Lot Area within each slope band (sq-ft). From survey/ contour map.		FAR from the Zone circled in Table 1		Max. Residential Floor Area* allowed within each slope band
0 – 14.99		X		=	
15 – 29.99		X		=	
30 – 44.99		X		=	
45 – 59.99		X		=	
60 – 99.99		X		=	
100 +		X		=	
Maximum Residential Floor Area =					

Department of Building and Safety / City Planning

JOINT REFERRAL FORM

I _____, am the licensed professional surveyor or Registered Civil
(Print Name)
Engineer in the State of California (License # _____, Expiration Date : _____)
certify that all the above information is correct.
Signature _____ Date: _____

SECTION IV. (To be completed by City Planning Staff)

City Planning Staff: _____

Maximum Residential Floor Area: _____

Property Information:
Lot: _____ Tract: _____
Assessor Parcel Number: _____
Address: _____
Staff Name (Please Print): _____
Signature: _____ Date: _____

Proposed BHO/BMO "by right" grading amounts

- Doubles the formula for maximum grading allowed to ~~500~~ 1,000 cubic yards plus the numeric value equal to ~~5%~~ 10% of the lot size in square feet.
- Doubles the maximum "by-right" quantities to the following:

Zone	Maximum "By-Right" Grading Quantities (cubic yards)
R1	1,000 2,000
RS	1,100 2,200
RE9	1,200 2,400
RE11	1,400 2,800
RE15	1,600 3,200
RE20	2,000 4,000
RE40	3,300 6,600
RA	1,800 3,600

- Regulates import and export as a combined quantity, subject to the following "by-right" hauling limits:
 - Standard Hillside Limited Streets or Larger: No more than the maximum "by-right" quantities listed in the above table.
 - Substandard Hillside Limited Streets: No more than 75% of the maximum "by-right" quantities listed in the above table.
- "By-right" maximums for grading or hauling may be exceeded with a Zoning Administrator's Determination.

Equivalent Truck Hauling Trips based on proposed

BHO/BMO "by right" grading amounts

R1 Standard Streets

2000 CY equates to 250 hauling trucks, one way

$$2000 \text{ CY} \times 1.25 \text{ (fluff factor)} = 2500 \text{ CY}$$

$$2500 \text{ CY} / 10 \text{ CY (hauling truck)} = 250 \text{ hauling trucks, one way}$$

R1 Sub-standard Streets

1500 CY equates to 187.5 hauling trucks, one way

$$1500 \text{ CY} \times 1.25 \text{ (fluff factor)} = 1875 \text{ CY}$$

$$1875 \text{ CY} / 10 \text{ CY (hauling truck)} = 187.5 \text{ hauling trucks, one way}$$

RE 40 Standard Streets

6600 CY equates to 825 hauling trucks, one way

$$6600 \text{ CY} \times 1.25 \text{ (fluff factor)} = 8250 \text{ CY}$$

$$8250 \text{ CY} / 10 \text{ CY (hauling truck)} = 825 \text{ hauling trucks, one way}$$

RE 40 Sub-standard Streets

4950 CY equates to 618.75 hauling trucks, one way

$$4950 \text{ CY} \times 1.25 \text{ (fluff factor)} = 6187.5 \text{ CY}$$

$$6187.5 \text{ CY} / 10 \text{ CY (hauling truck)} = 618.75 \text{ hauling trucks, one way}$$

Date: 11/29/16
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 Copy: communication from public

ADVERSE EFFECT OF INCREASING HILLSIDE EXPORT



TEN DUMP TRUCKS
10 CUBIC YARDS EACH
TOTAL 100 C.Y.

1,000 C.Y.

100 Trucks =
200 TRIPS

2,000 Cubic Yards

200 Trucks =
3

6,000 C. Y.,

600 Trucks =
1,200 TRIPS

WHEN DIRT IS TAKEN OUT OF THE GROUND
IT INCREASES BY 25%. Result 25% more trucks required
2,000 C.Y. x 1.25 = 2,250 C.Y., 500 TRIPS
6,000 C.Y. x 1.25 = 7,500 C.Y. 1,500 TRIPS.

40' SHIPPING CONTAINER-Specifications

40' Dry Sea Freight Container

Height: 6' 6" ft

Tare weight: 2 640kg (5 820lbs)

Max Cargo Cap:

27 840kg (61 377lbs)

Interior Dimensions:

Length: 12 058mm (37' 7" ft)

Width: 2 343mm (7' 6" ft)

Height: 2 383mm (7' 10" ft)

Door opening:

Width: 2 343mm (7' 6" ft)

Height: 2 283mm (7' 6" ft)

Interior Cube:

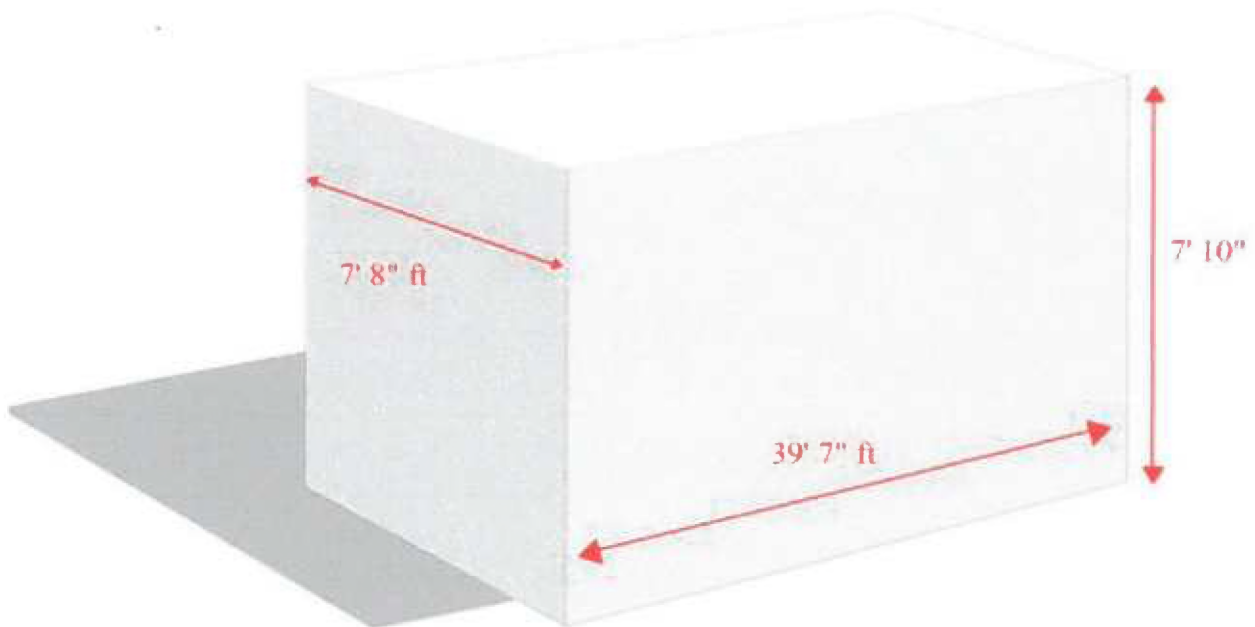
67.7cu.m (2,390cu. ft)

[Click here for large image](#)



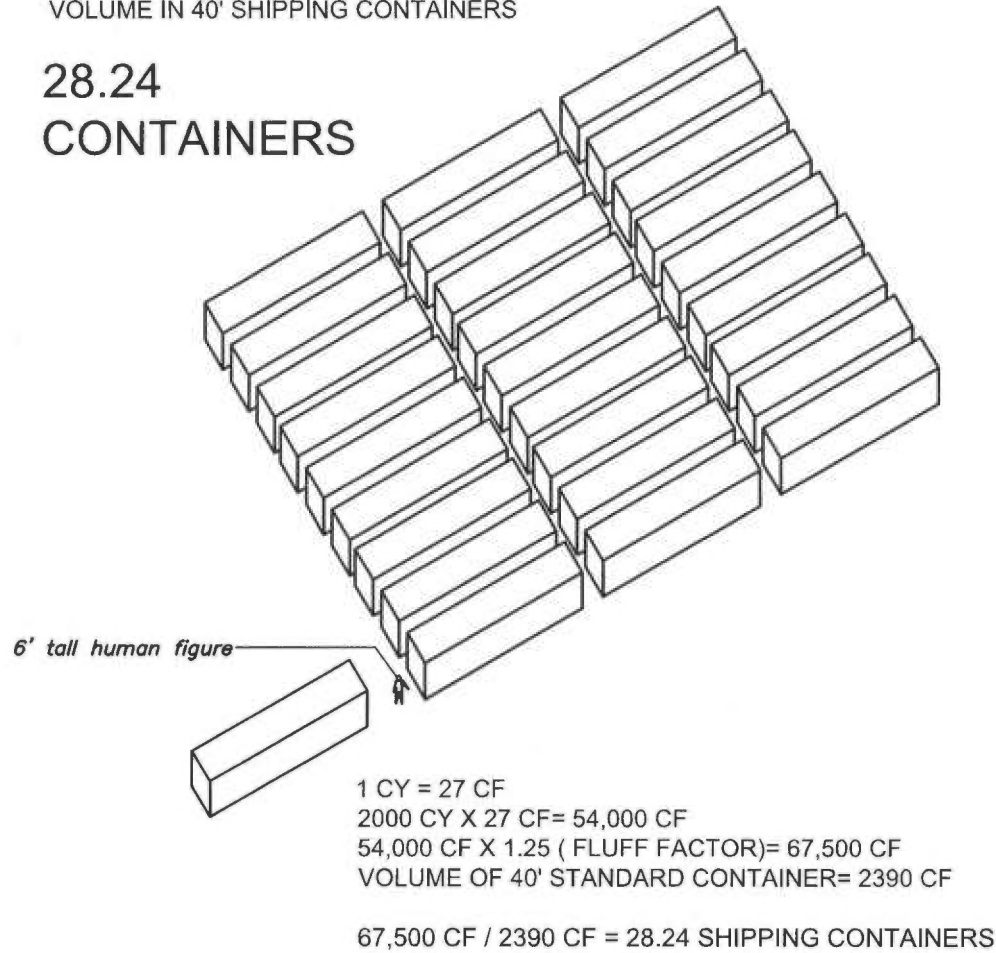
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40' Dry Container



FOR STANDARD STREETS
BHO PROPOSED ALLOWABLE
GRADING YARDAGE WITHOUT HAUL
ROUTE: 2000 CY EQUIVALENT
VOLUME IN 40' SHIPPING CONTAINERS

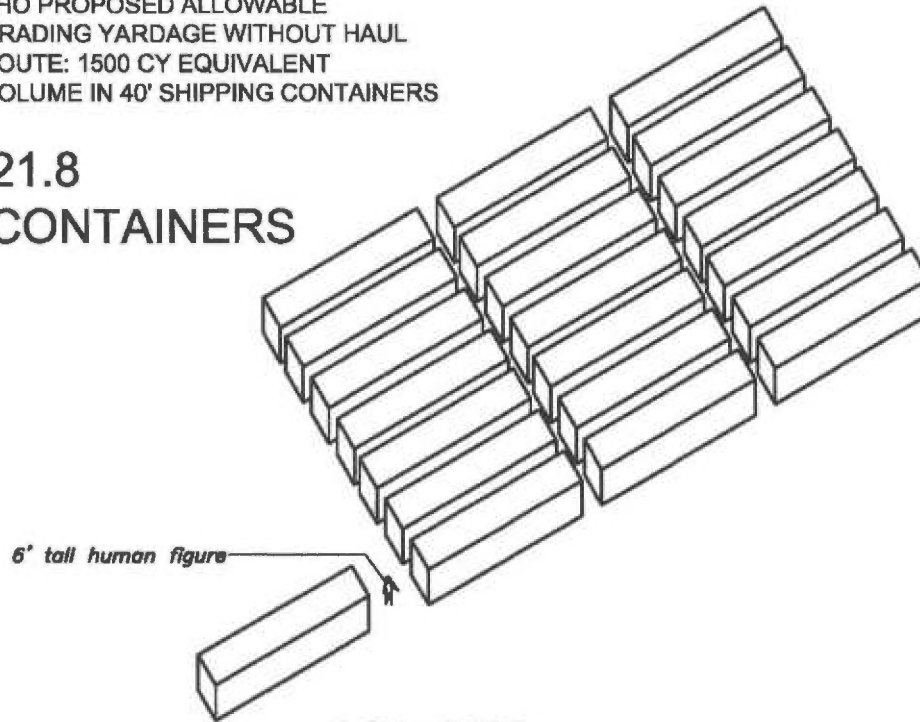
28.24 CONTAINERS



R-1 Standard Streets

FOR SUB-STANDARD STREETS
BHO PROPOSED ALLOWABLE
GRADING YARDAGE WITHOUT HAUL
ROUTE: 1500 CY EQUIVALENT
VOLUME IN 40' SHIPPING CONTAINERS

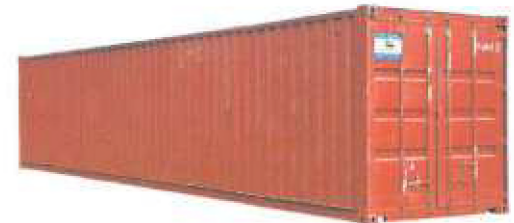
21.8 CONTAINERS



1 CY = 27 CF
1500 CY X 27 CF = 40500 CF
40500 CF X 1.25 (FLUFF FACTOR) = 50,625 CF
VOLUME OF 40' STANDARD CONTAINER = 2390 CF

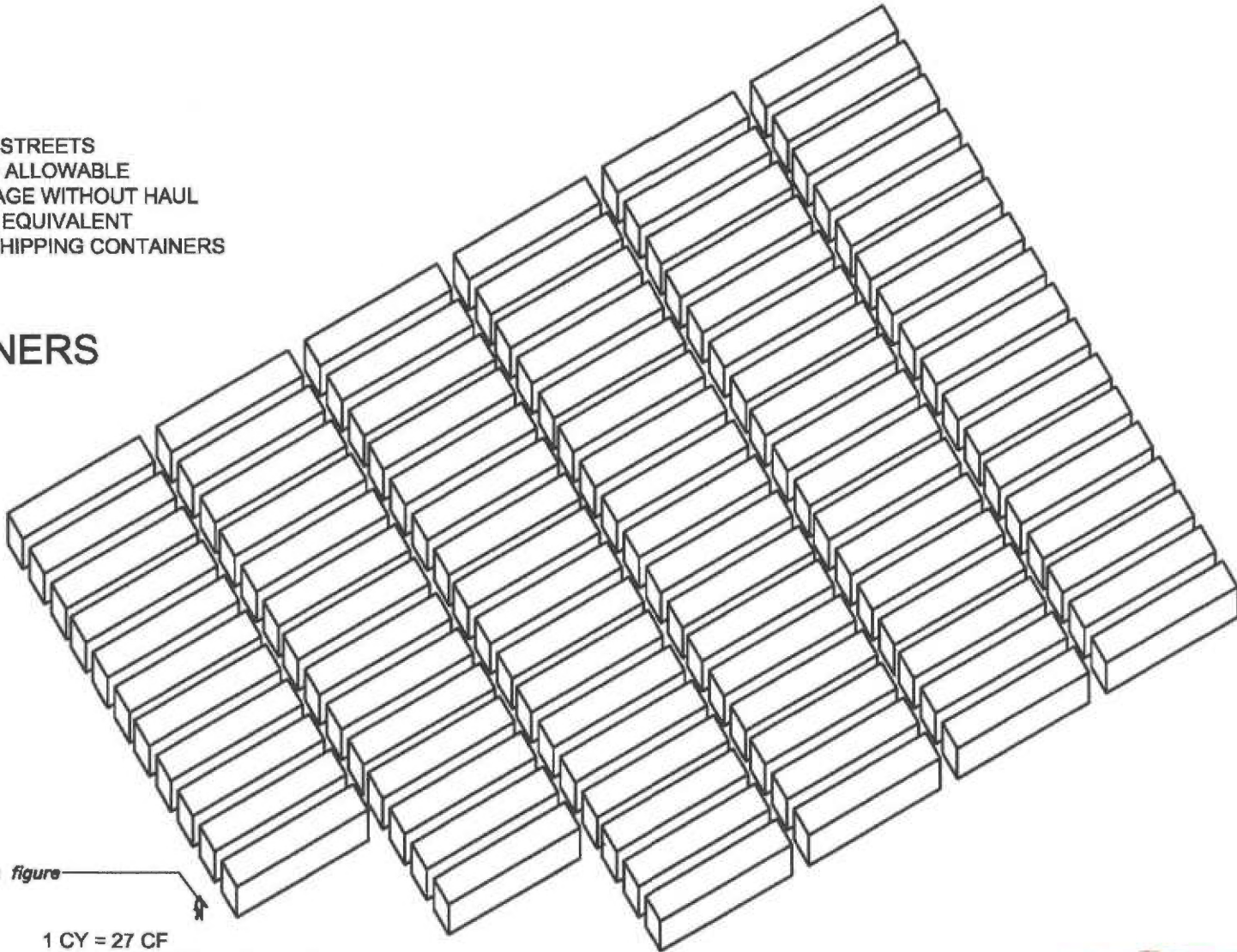
$50,625 \text{ CF} / 2390 \text{ CF} = 21.8 \text{ SHIPPING CONTAINERS}$

R-1 Sub-standard Streets



FOR STANDARD STREETS
BHO PROPOSED ALLOWABLE
GRADING YARDAGE WITHOUT HAUL
ROUTE: 6600 CY EQUIVALENT
VOLUME IN 40' SHIPPING CONTAINERS

93.2 CONTAINERS



6' tall human figure

1 CY = 27 CF
6600 CY X 27 CF = 178,200 CF
178,200 CF X 1.25 (FLUFF FACTOR) = 222,750 CF
VOLUME OF 40' STANDARD CONTAINER = 2390 CF

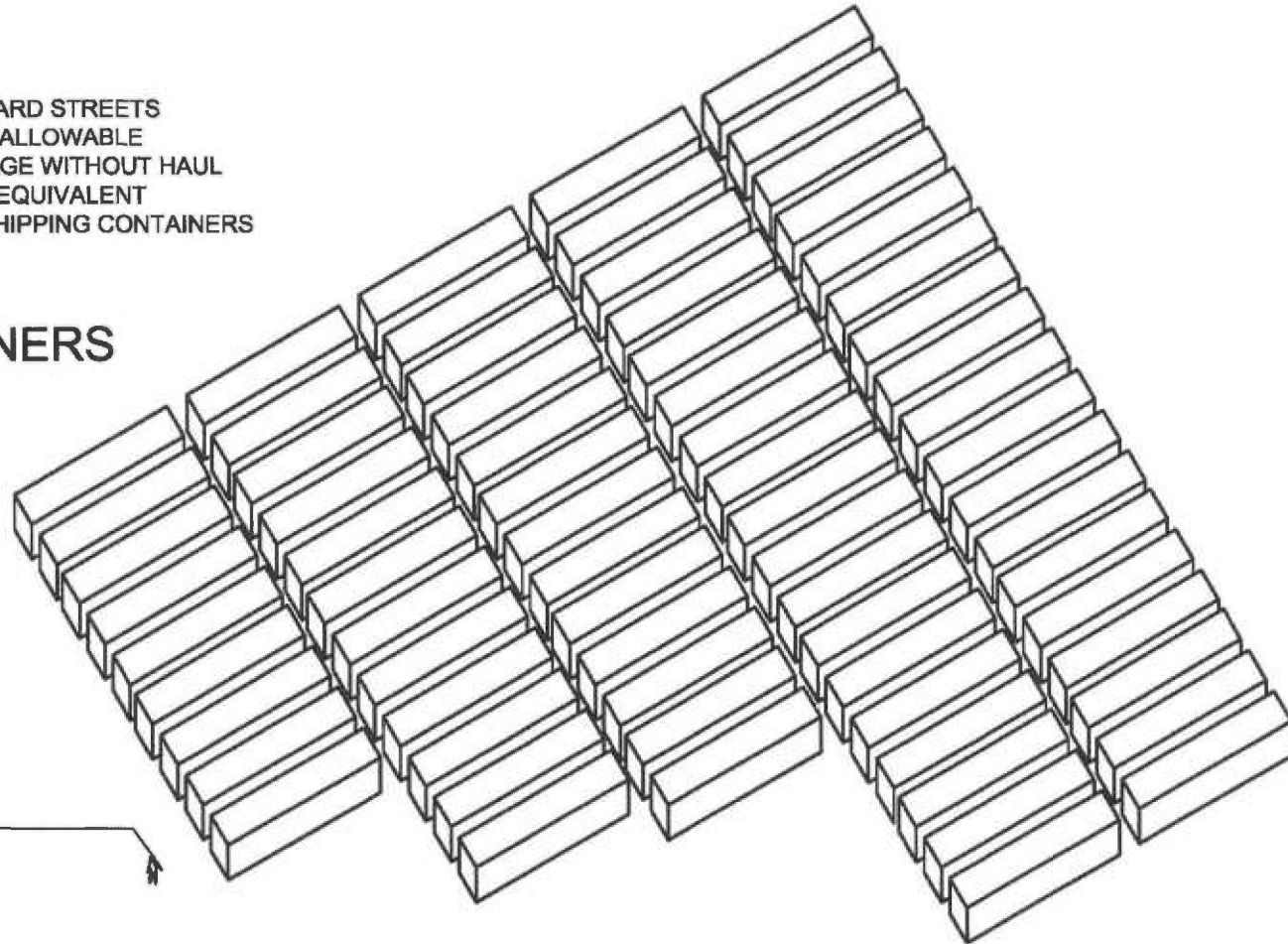
222,750 CF / 2390 CF = 93.2 SHIPPING CONTAINERS



RE 40 Standard Streets

FOR SUB-STANDARD STREETS
BHO PROPOSED ALLOWABLE
GRADING YARDAGE WITHOUT HAUL
ROUTE: 4950 CY EQUIVALENT
VOLUME IN 40' SHIPPING CONTAINERS

**69.9
CONTAINERS**



6' tall human figure

1 CY = 27 CF
4950 CY X 27 CF = 133650 CF
133650 CF X 1.25 (FLUFF FACTOR) = 167,062 CF
VOLUME OF 40' STANDARD CONTAINER = 2390 CF

167,062 CF / 2390 CF = 69.9 SHIPPING CONTAINERS



RE 40 Sub-standard Streets



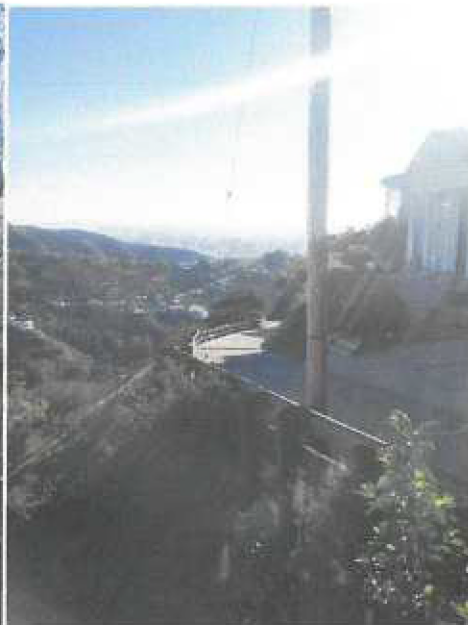
Sub-Standard Street: Kew Drive



Sub-Standard Street: Davies Way



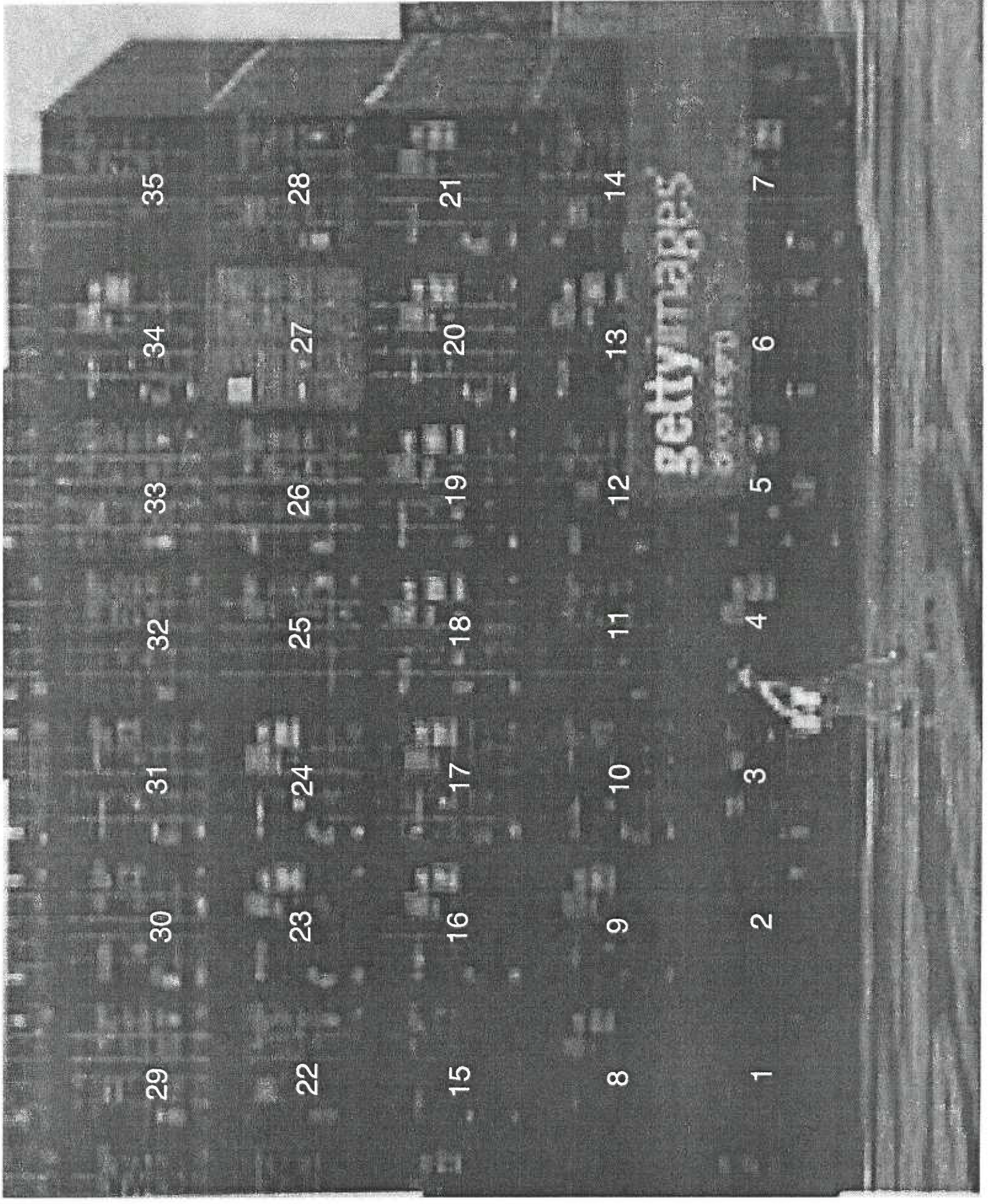
Sub-Standard Street: Davies Way



Sub-Standard Street: Elusive Drive *

*

Elusive Drive is sub-standard street that is steep (>20% slope) and 10' in width. Elusive Drive accesses RE 40 lots with ZA cases pending for (2) new SFR's. Many R1 zones abut RE 40 in the hills.



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BETHYARDS

BRIDGE



Los Angeles/Ventura Chapter

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July 13, 2016

David Ambroz

Los Angeles City Planning Commission
200 N. Spring Street Los Angeles, CA 90012

Re: Draft Baseline Mansionization Ordinance (BMO/BHO)

While LA needs a set of sensible guidelines in order to address out of scale homes, this ordinance is far too restrictive. Neighbor issues can be solved with architecture and good design without sacrificing personal property rights and housing production. BIA-LAV does not agree with the conclusions addressed in this ordinance; this is meant to be, as its name suggests, a **baseline** ordinance—a place to start, with further revisions being made elsewhere if necessary.

BIA-LAV has engaged in dialogue with the City over the BMO/BHO process for several years. We have attended public hearings, and most recently, convened a group of builders and real estate agents to meet with City Planning to voice our concerns over the ordinance released in April 2016. These concerns are outlined in the *detailed* letter to City Planning on June 10, 2016, attached. Our suggestions have not been incorporated into the latest ordinance released by the Planning Department in July 2016, and has in fact *reverted back* to many extremely restrictive rules. Therefore, for a more fair & equitable ordinance that does not penalize property owners and still addresses out-of-scale homes, we recommend the LA City Planning Commission make the following changes:

- Keep the 250 sq. foot exemption, but split the exemption so 150 feet can be used for covered patios or breezeways and 100 sq ft for porches. This will encourage desirable architectural features.
- Keep the 100 sq ft in over 14' height ceilings exemption.
- Increase allowable maximums to 55% for homes on up to 7,499 lots, and 50% for 7500+ lots.
- For R1 lots, provide a minimum FAR buildable size as allowed in other zones.
- The new side wall articulation requirements for R1 lots do not work. They create dead zones in rear yards, will push homes back on the lot and are atypical for any community with narrow and deep lots.
- The encroachment plane height should be measured from the top of the foundation, or increase allowable height to 22'.

Date: 11/29/2016

Submitted in PLUM Committee

Council File No: 14-0656

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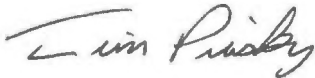
Deputy: Comm from Public

David Ambroz
July 13, 2016

- Revise the building envelope size to allow more second story flexibility.
- Driveway width at the property line should include a minimum allowable 16' for "garage-forward" homes.
- One size does not fit all. The RFA process should be used for individual communities, with greater flexibility on the BMO, as suggested above.
- There has been inadequate community outreach. Most property owners do not know about this ordinance, and no proof has been given by City Planning to show that property owners are informed overall.
- This ordinance will hurt the City and its residents. LA has a very old housing stock that needs refurbishment. Redevelopment of R1 properties is a productive, revenue-generating cottage industry that needs to be conserved.
- The ordinance will negatively impact city revenues—schools fees, property taxes, transfer taxes, and permit fees—and will have an *undisputable* immediate effect on property values.

L.A. is just coming out of a recession. We should not limit an industry that so greatly contributes to our economy, nor should we take away the rights of property owners.

Sincerely,



Tim Piasky
CEO

Building Industry Association of Southern California,
Los Angeles / Ventura Chapter